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11 || PLAINTIFF, IN PRO PER

12

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

16 || Charlotte Chapman Allyn,

17 Plaintiff.

18 || V.

10 || Metropolitan Life Insurance Company.

20 || Defendant.

CASE NO. C09-05671 SBA

**STIPULATION FOR CONTINUANCE OF  
BRIEFING SCHEDULING ON CROSS-  
MOTIONS FOR SUMMARY JUDGMENT;  
ORDER**

—

1 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Charlotte  
2 Chapman Allyn (“Plaintiff”), in pro per, and defendant Metropolitan Life Insurance Company  
3 (“MetLife”), that due to ongoing settlement negotiations, the parties request a continuance of the  
4 current briefing and hearing schedule previously set by the Court.

5 This is an action governed by the Employee Retirement Income Security Act (“ERISA”).  
6 On January 26, 2011, the Court held a case management conference. Following the conference,  
7 the Court issued a minute order setting a briefing schedule and hearing date for the parties’  
8 cross-motions for summary judgment in this ERISA action. [ECF No. 64.] Pursuant to the  
9 Court’s order, the parties’ motion papers are to be filed by May 3, 2011, oppositions by May 17,  
10 2011, and replies by May 24, 2011. The Court set a hearing date of June 7, 2011 at 1:00 p.m.

11 On April 8, 2011, the parties participated in a settlement conference before Magistrate  
12 Judge Bernard Zimmerman. [ECF No. 73.] As Magistrate Judge Zimmerman reported in his  
13 minute order following the settlement conference, “[p]arties agreed to a process that could lead  
14 to a settlement within 30-60 days.” [ECF No. 73.] The settlement process is continuing.

15 The parties therefore request the following new briefing and hearing schedule on cross-  
16 motions for summary judgment: motion papers to be filed by June 21, 2011, oppositions by July  
17 5, 2011, replies by July 12, 2011, and a hearing date of July 26, 2011 at 1:00 p.m.

18 IT IS SO STIPULATED.

19 DATED: April , 2011 SEDGWICK LLP

21 By: /s/ Rebecca A. Hull

22 Rebecca A. Hull  
23 Michelle Y. Magsaysay  
24 Attorneys for Defendant  
25 Metropolitan Life Insurance Company

26 DATED: April , 2011 By: /s/ Charlotte Chapman Allyn (authorized 4/27/11)  
27 Charlotte Chapman Allyn  
28 Plaintiff, In Pro Per

## ORDER

Good cause appearing, the Court orders that the hearing on the parties' cross-motions for summary judgment shall be set on the next available hearing date of October 13, 2011 at 1:00 p.m. The parties are to file their cross-motions for summary judgment pursuant to the following revised schedule: motion papers are to be filed by September 1, 2011, oppositions are to be filed by September 15, 2011, and replies by September 22, 2011.

IT IS SO ORDERED.

9 || Date: 5/3/11

Saundra B. Armstrong  
Honorable Saundra Brown Armstrong  
United States District Court Judge